

IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA:

CWP.No.671 of 2004

Date of Decision :24.4.2007.

Ramesh Singh Chandel.

...Petitioner.

Versus:

Union of India and others.

...Respondents.

Coram:

The Hon'ble Mr.Justice Sanjay Karol, Judge.

Whether approved for reporting?¹

For the petitioner: Mr.V.D.Khidtta, Advocate.

For Respondents. Mr.Sandeep Sharma, Assistant
Solicitor General.

Sanjay Karol, J (Oral).

The present writ petition though filed in the name of the petitioner is actually being pursued by his mother on the ground that the petitioner has been diagnosed as a patient of "Schizophrenia-295" and is unable to pursue the present writ petition. The petition has been filed seeking pension under The Pension Regulations for the Army, 1961.

A perusal of the entire material placed on record would show that the petitioner has suffered the disease and also disability while in service. It is undisputed that at the

¹ Whether reporters of Local Papers may be allowed to see the judgment?

time of the enrolment of the petitioner in the service, he was not suffering from any disability. The same is also clear from the opinion of the Medical Board. Keeping in view the attending circumstances, the respondents are directed to consider the case of the petitioner afresh in the light of the decision rendered by this Court on 9.1.2007 in CWP.No.742 of 2003 titled as Santosh Kumar Vs. Union of India and others. The respondents shall take a decision in accordance with law within a period of three months from today. The decision shall be communicated to the petitioner.

It has been brought to my notice that petitioner is insane and his widow mother has no source of income. I am sure that the authority would take all these factors into consideration at the time of taking the decision. The writ petition is accordingly disposed of.

**(Sanjay Karol),
Judge.**

April 24, 2007(R)